

(b) (6)

From: Lupton, Matt CTR OPNAV, DNS-36 <matthew.lupton.ctr@navy.mil>
Sent: Tuesday, January 07, 2014 8:04
To: Hamlin, Donna M CIV NAVSEA, SEA COS
Cc: (b) (6) NAVSEA, SEA COS
Subject: FOIA CASE DON 2014F000380/ NAVSEA 2014F000034 REF TO NAVSEA ML
Attachments: 2014F000380 RESP TO REQ 1-7-14.pdf; FW: Media FOIA request (11.7 KB)
Signed By: matthew.lupton.ctr@navy.mil

From: Chief of Naval Operations (DNS-36)
To: Commander, Naval Sea Systems Command, Code 00D3 (NAVSEA)

Subj: FREEDOM OF INFORMATION ACT REQUEST OF NBC WASHINGTON (SCOTT MACFARLANE);
NAVSEA FOIA CASE NUMBER 2014F000034

Ref: (a) SECNAVINST 5720.42F

Encl: (1) Mr. MacFarlane's FOIA request of 11 Dec 13
(2) Email Notice of Referral to Mr. MacFarlane of 7 Jan 14

1. Enclosure (1) is forwarded to your office for action as a matter under your cognizance and for direct response to the requester within 20 working days as prescribed by reference (b). Enclosure (2) is provided for your information.
2. We have generated a new case in the NAVSEA Case Tracker at your site. The NAVSEA case number for this FOIA request is 2014F000034.
3. Enclosure (1) was received by this office on 20 Dec 13. Questions concerning this matter may be directed to Matthew Lupton at (202) 685-6509 or matthew.lupton.ctr@navy.mil.

Sincerely,
Robin Patterson
Head, DON FOIA/PA Program Office

(b) (6)

From: Hamlin, Donna M CIV NAVSEA, SEA COS <donna.hamlin@navy.mil> on behalf of NSSC_NAVSEA FOIA <NAVSEAFOIA@navy.mil>
Sent: Thursday, December 12, 2013 13:38
To: (b)(6)
Cc: Dolan, Patricia K CIV NAVSEA, SEA 00D
Subject: FW: Media FOIA request
Attachments: image001.gif
Signed By: donna.hamlin@navy.mil

(b)(6)

Another FOIA request regarding 9/16.

Should I forward this to Robin? Please advise.

Donna

-----Original Message-----

From: MacFarlane, Scott (NBCUniversal) [mailto:Scott.MacFarlane@nbcuni.com]
Sent: Wednesday, December 11, 2013 12:50 PM
To: NSSC_NAVSEA FOIA
Subject: Media FOIA request

From:

Scott MacFarlane (News Media - WRC-TV)

NBC Washington

4001 Nebraska Avenue

Washington, DC 20016

202-507-1129

Pursuant to public records rules and the federal Freedom Of Information Act, 5 USC 552, and the Privacy Act of 1974, 5 USC 552a, I hereby request copies of the following documents.

If for any reason you chose not to send me any of the documents or papers requested then please furnish me with a timely explanation.

I am requesting:

Copies of all photos in NAVSEA possession of the interior of Building 197 at NAVSEA HQ in DC.. from calendar years 2011, 2012 or 2013 that are *NOT* part of the investigation into a shooting inside said building on 9/16/13.

In the event that some of the material is considered by you to be exempt from disclosure under both Acts, then please include all segregable portions of documents and the specific exemption you are relying upon to deny disclosure of the excised portions. Please note that in order to avoid disclosure you must claim an appropriate exemption under both Acts.

I am requesting that you abide by the statutory time within which to make a determination on this request, that being twenty (20) working days from your receipt under Section 552(a) (6)(A)(i).

I also request that, if appropriate, fees be waived as I believe this request is in the public interest and I am a member of the news media.

If rejected, I'm willing to pay any and all fees involved in the processing of this request, up to a limit of \$15.

I hereby request you inform me of any charges *in advance of fulfilling my request.* I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not

If only some of the information/materials requested is readily available, please forward said information immediately - then complete request upon receipt of further information/materials.

A compelling need exists to warrant expedited processing of this request, because a large number of our viewers are immediately impacted by the content of these records. These records relate directly to performance of government in matters of safety, health and well-being. These records also pertain to issues involving widespread media reporting in recent months. Delayed processing jeopardizes important, timely dissemination of information to the public.

Please provide records in electronic format.

Please feel free to contact me with any questions or concerns.

SCOTT MACFARLANE

I-Team Investigative Reporter

Description: NBC4 <<http://www.nbcwashington.com/>>

4001 Nebraska Avenue NW

Washington, DC 20016

202-507-1129 work cell

202-885-4267 main newsroom

website <<http://www.nbcwashington.com/>> | vCard

<<http://www.dynasend.com/signatures/get.php/scott.macfarlane-at-nbcuni.com.vcf>> | map

<<http://maps.google.com/maps?q=4001+Nebraska+Avenue+NW,+Washington,+DC+20016&hl=en&ll=38.941119,-77.082953&spn=0.028973,0.038581&sll=37.0625,-77.082953&sspn=59.467068,79.013672&hnear=4001+Nebraska+Ave+NW,+Washington,+District+of+Columbia+20016&t=m&z=15>>

| email <<mailto:scott.macfarlane@nbcuni.com>>

Follow me on Twitter at @MacFarlaneNews <<https://twitter.com/#!/MacFarlaneNews>>

From: [Lupton, Matt CTR OPNAV, DNS-36](#) on behalf of [DONFOIA-PA](#)
To: scott.macfarlane@nbcuni.com
Subject: FOIA CASE DON 2014F000380/NAVSEA 2014F000034 RESP TO REQ ML
Date: Tuesday, January 07, 2014 7:50:00

Mr. Scott MacFarlane
NBC Washington
4001 Nebraska Avenue
Washington, DC 20016

Dear Mr. MacFarlane:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT REQUEST; FOIA CASE NUMBER
DON 2014F000380/NAVSEA 2014F000034

This is in reference to your Freedom of Information Act (FOIA) request dated December 11, 2013. Your request was received in our office on December 20, 2013.

We have determined that the information you are seeking may be maintained by the Commander, Naval Sea Systems Command (NAVSEA) located at 1333 Isaac Hull Avenue SE, Washington Navy Yard, DC 20376. Therefore, we have forwarded your request to that office for action and direct response to you.

Questions regarding the action this office has taken during the initial processing of your request may be directed to our FOIA service center at (202) 685-0412. For questions regarding the current status of your request, please contact a FOIA Coordinator at NAVSEA directly at (202) 781-2437. When contacting NAVSEA, please reference case number NAVSEA 2014F000034.

Sincerely,
Robin Patterson
Head, DON FOIA/PA Program Office

From: Lupton, Matt CTR OPNAV, DNS-36 <matthew.lupton.ctr@navy.mil> on behalf of DONFOIA-PA <donfoia-pa@navy.mil>
Sent: Tuesday, January 07, 2014 8:17
To: scott.macfarlane@nbcuni.com
Subject: FOIA CASE DON 2014F000383/NAVSEA 2014F000035 RESP TO REQ ML
Signed By: matthew.lupton.ctr@navy.mil

Mr. Scott MacFarlane
NBC Washington
4001 Nebraska Avenue
Washington, DC 20016

Dear Mr. MacFarlane:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT REQUEST; FOIA CASE NUMBER
DON 2014F000383/NAVSEA 2014F000035

This is in reference to your Freedom of Information Act (FOIA) request dated December 6, 2013. Your request was received in our office on December 20, 2013.

We have determined that the information you are seeking may be maintained by the Commander, Naval Sea Systems Command (NAVSEA) located at 1333 Isaac Hull Avenue SE, Washington Navy Yard, DC 20376. Therefore, we have forwarded your request to that office for action and direct response to you.

Questions regarding the action this office has taken during the initial processing of your request may be directed to our FOIA service center at (202) 685-0412. For questions regarding the current status of your request, please contact a FOIA Coordinator at NAVSEA directly at (202) 781-2437. When contacting NAVSEA, please reference case number NAVSEA 2014F000035.

Sincerely,
Robin Patterson
Head, DON FOIA/PA Program Office

From: Lupton, Matt CTR OPNAV, DNS-36 <matthew.lupton.ctr@navy.mil>
Sent: Tuesday, January 07, 2014 8:24
To: scott.macfarlane@nbcuni.com
Subject: FOIA CASE DON 2014F000383/NAVSEA 2014F000035 REF TO NAVSEA ML
Attachments: 2014F000383 EMAIL FRM DNS-36.pdf; 2014F000383 RESP TO REQ 1-7-14.pdf; FW: Media FOIA request (11.6 KB)
Signed By: matthew.lupton.ctr@navy.mil

From: Chief of Naval Operations (DNS-36)
To: Commander, Naval Sea Systems Command, Code 00D3 (NAVSEA)
Subj: FREEDOM OF INFORMATION ACT REQUEST OF NBC WASHINGTON (SCOTT MACFARLANE); NAVSEA FOIA CASE NUMBER 2014F000035

Ref: (a) SECNAVINST 5720.42F

Encl: (1) Mr. MacFarlane's FOIA request of 6 Dec 13
(2) Email Notice of Referral to Mr. MacFarlane of 7 Jan 14

1. Enclosure (1) is forwarded to your office for action as a matter under your cognizance and for direct response to the requester within 20 working days as prescribed by reference (b). Enclosure (2) is provided for your information.
2. We have generated a new case in the NAVSEA Case Tracker at your site. The NAVSEA case number for this FOIA request is 2014F000035.
3. Enclosure (1) was received by this office on 20 Dec 13. Questions concerning this matter may be directed to Matthew Lupton at (202) 685-6509 or matthew.lupton.ctr@navy.mil.

Sincerely,
Robin Patterson
Head, DON FOIA/PA Program Office

From: [Patterson, Robin L CIV OPNAV, DNS-36](#)
To: [Hamlin, Donna M CIV NAVSEA, SEA COS;](#) (b) (6)
Cc: [Lupton, Matt CTR OPNAV, DNS-36;](#) (b) (6)
[DNS-36](#)
Subject: FOIA requests non-9/16/13 specific
Date: Thursday, January 02, 2014 15:12:11

Donna,

Reviewed the NAVSEA cases and determined that all but one will be transferred back to your office for processing, (only one is specific enough to the event), as follows:

DON 2014F-0378 (NBC Washington): Advise that you contact the NAVSEA security office and ask the following questions: 1. Do they have an indexed video library (i.e. training videos). 2. Can they determine if any videos were specifically "NAVSEA produced"? This is "not" a request for daily security footage or tapes.... and I would not consider this request specific to the NAVSEA incident.

DON FOIA 2014F-0380: I think the appropriate response is " cameras are prohibited from the premises, with the exception of "official photos" of specific events and assemblies, or ceremonies, such as retirements..... Public Affairs is the only authorized place to get a camera for official use. I don't think the Public Affairs office has an official "photo library" and there may not be a requirement to have one ... So if no "photo library exists" and photos are used for specific articles, publications, or events and then routinely destroyed ... or some photos may be kept in specific "subject/topic" or "by date" folders, that system of records would have a disposition requirement. This request is too broad to tie to the specific event. If you discover that there is a "photo library", I would recommend negotiating with the requester, or explain that the library does not contain a subject "interior of building 197" and there is no way of Identifying "all photos that were taken in the "interior of building 197".... after you get more record keeping info from Public Affairs, (b) (6) can help with crafting the language for "fishing expedition", or request to broad.

Case DON 2014F-0383: the memos are all serialized and in the individual offices -official systems of records. Recommend that you provide the requester with an estimate, as I can see the search and review, possible redactions, will be very costly. This may encourage the requester to "narrow the scope". Again another "fish expedition" - just because they are media doesn't mean that the memos would shed light on specific government activities.

DON2014F-0387: this one is specific enough that we may be able to deny. However, I want to talk with the FBI, as they may have "all emails during that time, in their possession."

I'm scheduled for leave starting tomorrow - and should be back on the 13th. If you have any questions or concerns contact Matt, and he will get ahold of me, if necessary. Please send an acknowledgement for all requests and follow up on the 10 day extension letters. Some of the requesters have already filed appeals - so the administrative files need to be kept up-to-date. Remember if you need our assistance at any point during the process, just let us know. Additionally, I would like to see the final response letters prior to release for each of these cases - as it may be necessary to notify DoD or other stakeholders.

Respectfully,

Robin Patterson
Head, DON FOIA/PA Program Office (DNS-36).
CNO Office of The Director, Navy Staff
Organization and Management Division
FOIA/PA Service Center 202 685-0412 DONFOIA-PA@NAVY.MIL
Direct line 202 685-6545 Robin.Patterson@navy.mil

(b) (6)

From: Hamlin, Donna M CIV NAVSEA, SEA COS <donna.hamlin@navy.mil> on behalf of NSSC_NAVSEA FOIA <NAVSEAFOIA@navy.mil>
Sent: Thursday, December 12, 2013 14:12
To: (b)(6)
Subject: FW: Media FOIA request
Attachments: image001.gif
Signed By: donna.hamlin@navy.mil

Please see the request below. Can you advise me as to how we should process.

Donna

-----Original Message-----

From: MacFarlane, Scott (NBCUniversal) [mailto:Scott.MacFarlane@nbcuni.com]
Sent: Friday, December 06, 2013 6:12 PM
To: NSSC_NAVSEA FOIA
Subject: Media FOIA request

From:

Scott MacFarlane (News Media - WRC-TV)

NBC Washington

4001 Nebraska Avenue

Washington, DC 20016

202-507-1129

Pursuant to state public records rules and the federal Freedom Of Information Act, 5 USC 552, and the Privacy Act of 1974, 5 USC 552a, I hereby request copies of the following documents.

If for any reason you chose not to send me any of the documents or papers requested
then please furnish me with a timely explanation.

I am requesting:

Copies of all memos authored by any of the following employees in September, October or November 2013.

William Hilarides

William Deligne

Thomas Kearney

Bryan Exum

Patrick Geary

In the event that some of the material is considered by you to be exempt from disclosure under both Acts, then please include all segregable portions of documents and the specific exemption you are relying upon to deny disclosure of the excised portions. Please note that in order to avoid disclosure you must claim an appropriate exemption under both Acts.

I am requesting that you abide by the statutory time within which to make a determination on this request, that being twenty (20) working days from your receipt under Section 552(a) (6)(A)(i).

I also request that, if appropriate, fees be waived as I believe this request is in the public interest and I am a member of the news media.

If rejected, I'm willing to pay any and all fees involved in the processing of this request, up to a limit of \$15.

I hereby request you inform me of any charges *in advance of fulfilling my request.* I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not

If only some of the information/materials requested is readily available, please forward said information immediately - then complete request upon receipt of further information/materials.

A compelling need exists to warrant expedited processing of this request, because a large number of our viewers are immediately impacted by the content of these records. These records relate directly to performance of government in matters of safety, health and well-being. These records also pertain to issues involving widespread media reporting in recent months. Delayed processing jeopardizes important, timely dissemination of information to the public.

Please provide records in electronic format.

Please feel free to contact me with any questions or concerns.

SCOTT MACFARLANE

I-Team Investigative Reporter

Description: NBC4 <<http://www.nbcwashington.com/>>

4001 Nebraska Avenue NW

Washington, DC 20016

202-507-1129 work cell

202-885-4267 main newsroom

website <<http://www.nbcwashington.com/>> | vCard

<<http://www.dynasend.com/signatures/get.php/scott.macfarlane-at-nbcuni.com.vcf>> | map

<<http://maps.google.com/maps?q=4001+Nebraska+Avenue+NW,+Washington,+DC+20016&hl=en&ll=38.941119,-77.082953&spn=0.028973,0.038581&sll=37.0625,-95.677068&sspn=59.467068,79.013672&hnear=4001+Nebraska+Ave+NW,+Washington,+District+of+Columbia+20016&t=m&z=15>> | email <<mailto:scott.macfarlane@nbcuni.com>>

Follow me on Twitter at @MacFarlaneNews <<https://twitter.com/#!/MacFarlaneNews>>

From: [Lupton, Matt CTR OPNAV, DNS-36](#) on behalf of [DONFOIA-PA](#)
To: scott.macfarlane@nbcuni.com
Subject: FOIA CASE DON 2014F000383/NAVSEA 2014F000035 RESP TO REQ ML
Date: Tuesday, January 07, 2014 8:17:00

Mr. Scott MacFarlane
NBC Washington
4001 Nebraska Avenue
Washington, DC 20016

Dear Mr. MacFarlane:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT REQUEST; FOIA CASE NUMBER
DON 2014F000383/NAVSEA 2014F000035

This is in reference to your Freedom of Information Act (FOIA) request dated December 6, 2013. Your request was received in our office on December 20, 2013.

We have determined that the information you are seeking may be maintained by the Commander, Naval Sea Systems Command (NAVSEA) located at 1333 Isaac Hull Avenue SE, Washington Navy Yard, DC 20376. Therefore, we have forwarded your request to that office for action and direct response to you.

Questions regarding the action this office has taken during the initial processing of your request may be directed to our FOIA service center at (202) 685-0412. For questions regarding the current status of your request, please contact a FOIA Coordinator at NAVSEA directly at (202) 781-2437. When contacting NAVSEA, please reference case number NAVSEA 2014F000035.

Sincerely,
Robin Patterson
Head, DON FOIA/PA Program Office

(b) (6)

From: Lupton, Matt CTR OPNAV, DNS-36 <matthew.lupton.ctr@navy.mil> on behalf of DONFOIA-PA <donfoia-pa@navy.mil>
Sent: Tuesday, January 07, 2014 8:28
To: (b)(6)
Subject: FOIA CASE DON 2014F000345 RESP TO REQ ML
Attachments: 2014F000345 FOIA REQ.pdf
Signed By: matthew.lupton.ctr@navy.mil

CDR Alecander Anderson

(b)(6)

Dear CDR Anderson:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT REQUEST; FOIA CASE NUMBER DON 2014F000345

This is in reference to your Freedom of Information Act (FOIA) request dated December 6, 2013 (copy attached). Your FOIA request was received in our office on December 18, 2013.

We have determined that the information you are seeking may be maintained by the Commander, Naval Air Forces, Pacific (COMNAVAIRPAC) located at PO Box 357051 (N01J2), San Diego, CA 92135-7051. Therefore, we have forwarded your request to that office for action and direct response to you.

Questions regarding the action this office has taken during the initial processing of your request may be directed to our FOIA service center at (202) 685-0412. For questions regarding the current status of your request, please contact a FOIA Coordinator at COMNAVAIRPAC directly at (619) 545-2796.

Sincerely,
Robin Patterson
Head, DON FOIA/PA Program Office

(b) (6)

From: MacFarlane, Scott (NBCUniversal) <Scott.MacFarlane@nbcuni.com>
Sent: Tuesday, January 07, 2014 8:47
To: Lupton, Matt CTR OPNAV, DNS-36; Patterson, Robin L CIV OPNAV, DNS-36
Cc: (b) (6) CHINFO, (b) (6)
Subject: RE: FOIA CASE DON 2014F000383/NAVSEA 2014F000035 REF TO NAVSEA ML
Attachments: navsea foia response.pdf

Robin and Matt...

I have grave concerns to the following references to in the email you attached. (I've reattached it to this email)

- 1) "just because they are media doesn't mean that the memos would shed light on specific government activities"
- 2) "fish expeditions"

I intend to report this type of language and FOIA management to your superiors.
And I have to wonder why you shared such a PDF attachment with me.

SCOTT MACFARLANE
Reporter

4001 Nebraska Avenue NW
Washington, DC 20016

202-507-1129 work cell
202-885-4506 direct

[website](#) | [vCard](#) | [map](#) | [email](#)

Follow me on Twitter at [@MacFarlaneNews](#)

-----Original Message-----

From: Lupton, Matt CTR OPNAV, DNS-36 [mailto:matthew.lupton.ctr@navy.mil]
Sent: Tuesday, January 07, 2014 8:24 AM
To: MacFarlane, Scott (NBCUniversal)
Subject: FOIA CASE DON 2014F000383/NAVSEA 2014F000035 REF TO NAVSEA ML

From: Chief of Naval Operations (DNS-36)
To: Commander, Naval Sea Systems Command, Code 00D3 (NAVSEA)

Subj: FREEDOM OF INFORMATION ACT REQUEST OF NBC WASHINGTON (SCOTT MACFARLANE);
NAVSEA FOIA CASE NUMBER 2014F000035

Ref: (a) SECNAVINST 5720.42F

Encl: (1) Mr. MacFarlane's FOIA request of 6 Dec 13
(2) Email Notice of Referral to Mr. MacFarlane of 7 Jan 14

1. Enclosure (1) is forwarded to your office for action as a matter under your cognizance and for direct response to the requester within 20 working days as prescribed by reference (b). Enclosure (2) is provided for your information.

2. We have generated a new case in the NAVSEA Case Tracker at your site. The NAVSEA case number for this FOIA request is 2014F000035.

3. Enclosure (1) was received by this office on 20 Dec 13. Questions concerning this matter may be directed to Matthew Lupton at (202) 685-6509 or matthew.lupton.ctr@navy.mil.

Sincerely,
Robin Patterson
Head, DON FOIA/PA Program Office

From: [Patterson, Robin L CIV OPNAV, DNS-36](#)
To: [Hamlin, Donna M CIV NAVSEA, SEA COS;](#) (b) (6)
Cc: [Lupton, Matt CTR OPNAV, DNS-36;](#) (b) (6)
[DNS-36](#)
Subject: FOIA requests non-9/16/13 specific
Date: Thursday, January 02, 2014 15:12:11

Donna,

Reviewed the NAVSEA cases and determined that all but one will be transferred back to your office for processing, (only one is specific enough to the event), as follows:

DON 2014F-0378 (NBC Washington): Advise that you contact the NAVSEA security office and ask the following questions: 1. Do they have an indexed video library (i.e. training videos). 2. Can they determine if any videos were specifically "NAVSEA produced"? This is "not" a request for daily security footage or tapes.... and I would not consider this request specific to the NAVSEA incident.

DON FOIA 2014F-0380: I think the appropriate response is " cameras are prohibited from the premises, with the exception of "official photos" of specific events and assemblies, or ceremonies, such as retirements..... Public Affairs is the only authorized place to get a camera for official use. I don't think the Public Affairs office has an official "photo library" and there may not be a requirement to have one ... So if no "photo library exists" and photos are used for specific articles, publications, or events and then routinely destroyed ... or some photos may be kept in specific "subject/topic" or "by date" folders, that system of records would have a disposition requirement. This request is too broad to tie to the specific event. If you discover that there is a "photo library", I would recommend negotiating with the requester, or explain that the library does not contain a subject "interior of building 197" and there is no way of Identifying "all photos that were taken in the "interior of building 197".... after you get more record keeping info from Public Affairs, (b) (6) can help with crafting the language for "fishing expedition", or request to broad.

Case DON 2014F-0383: the memos are all serialized and in the individual offices -official systems of records. Recommend that you provide the requester with an estimate, as I can see the search and review, possible redactions, will be very costly. This may encourage the requester to "narrow the scope". Again another "fish expedition" - just because they are media doesn't mean that the memos would shed light on specific government activities.

DON2014F-0387: this one is specific enough that we may be able to deny. However, I want to talk with the FBI, as they may have "all emails during that time, in their possession."

I'm scheduled for leave starting tomorrow - and should be back on the 13th. If you have any questions or concerns contact Matt, and he will get ahold of me, if necessary. Please send an acknowledgement for all requests and follow up on the 10 day extension letters. Some of the requesters have already filed appeals - so the administrative files need to be kept up-to-date. Remember if you need our assistance at any point during the process, just let us know. Additionally, I would like to see the final response letters prior to release for each of these cases - as it may be necessary to notify DoD or other stakeholders.

Respectfully,

Robin Patterson
Head, DON FOIA/PA Program Office (DNS-36).
CNO Office of The Director, Navy Staff
Organization and Management Division
FOIA/PA Service Center 202 685-0412 DONFOIA-PA@NAVY.MIL
Direct line 202 685-6545 Robin.Patterson@navy.mil

(b) (6)

From: (b)(6)
Sent: Tuesday, January 07, 2014 9:17
To: Lupton, Matt CTR OPNAV, DNS-36
Cc: Patterson, Robin L CIV OPNAV, DNS-36; (b)(6)
(b)(6) CHINFO,
(b) (6)
Subject: FOIA update
Signed By: (b) (6)@navy.mil

Matt: It's come to my attention that a FOIA request was received from NBC. As the FOIA POC for the Task Force, please ensure I receive copies of all FOIA requests received, as well as any reviews conducted, etc., and updated copies of the FOIA tracking log. These remain "significant" FOIAs with respect to processing.

Many thanks and (b)(6)

(b)(6)

ATTORNEY-CLIENT PRIVILEGED COMMUNICATION OR ATTORNEY WORK PRODUCT: This email and any attachments are privileged, intended only for the addressee or designee, and nonreleasable outside DoD channels absent prior sender authorization. If received in error, please delete.

(b) (6)

From: Lupton, Matt CTR OPNAV, DNS-36 <matthew.lupton.ctr@navy.mil>
Sent: Tuesday, January 07, 2014 10:15
To: (b)(6)
Cc: Patterson, Robin L CIV OPNAV, DNS-36; Shaw, Phyllis CIV OPNAV, DNS-36; (b)(6)
(b)(6) (b) (6)
(b) (6) CHINFO, (b) (6)
Subject: RE: FOIA update
Attachments: 2014F000383 EMAIL FRM DNS-36.pdf; 2014F000383 REF TO NAVSEA 1-7-14.pdf;
2014F000383 RESP TO REQ 1-7-14.pdf; FW: Media FOIA request (11.6 KB);
2014F000380 REF TO NAVSEA 1-7-14.pdf; 2014F000380 RESP TO REQ 1-7-14.pdf; FW:
Media FOIA request (11.7 KB); FW: Media FOIA request (11.5 KB); FW: Media FOIA
request (11.7 KB); WNY 9-16 shooting FOIA requests LOG.xlsx
Signed By: matthew.lupton.ctr@navy.mil

(b)(6)

The first four attachments is the FOIA request that I transferred to the requester. 2014F000383 REF TO NAVSEA 1-7-14 was sent in error to requester. I have also transferred 2014F000380 but everything was sent to the correct recipients. I am in the process of transferring one more request (2014F000378) and for 2014F000387, I am awaiting confirmation from FBI. The log is updated with the four FOIA requests.

V/r, Matt Lupton

-----Original Message-----

From (b)(6)

Sent: Tuesday, January 07, 2014 9:17 AM

To: Lupton, Matt CTR OPNAV, DNS-36

Cc: Patterson, Robin L CIV OPNAV, DNS-36; (b)(6)

(b)(6) (b) (6) CHINFO, (b) (6)

Subject: FOIA update

Matt: It's come to my attention that a FOIA request was received from NBC. As the FOIA POC for the Task Force, please ensure I receive copies of all FOIA requests received, as well as any reviews conducted, etc., and updated copies of the FOIA tracking log. These remain "significant" FOIAs with respect to processing.

Many thanks (b)(6)

(b)(6)

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(b) (6)

From: Hamlin, Donna M CIV NAVSEA, SEA COS <donna.hamlin@navy.mil> on behalf of NSSC_NAVSEA FOIA <NAVSEAFOIA@navy.mil>
Sent: Thursday, December 12, 2013 13:38
To: (b)(6)
Cc: Dolan, Patricia K CIV NAVSEA, SEA 00D
Subject: FW: Media FOIA request
Attachments: image001.gif
Signed By: donna.hamlin@navy.mil

(b)(6)

Another FOIA request regarding 9/16.

Should I forward this to Robin? Please advise.

Donna

-----Original Message-----

From: MacFarlane, Scott (NBCUniversal) [mailto:Scott.MacFarlane@nbcuni.com]
Sent: Wednesday, December 11, 2013 12:50 PM
To: NSSC_NAVSEA FOIA
Subject: Media FOIA request

From:

Scott MacFarlane (News Media - WRC-TV)

NBC Washington

4001 Nebraska Avenue

Washington, DC 20016

202-507-1129

Pursuant to public records rules and the federal Freedom Of Information Act, 5 USC 552, and the Privacy Act of 1974, 5 USC 552a, I hereby request copies of the following documents.

If for any reason you chose not to send me any of the documents or papers requested then please furnish me with a timely explanation.

I am requesting:

Copies of all photos in NAVSEA possession of the interior of Building 197 at NAVSEA HQ in DC.. from calendar years 2011, 2012 or 2013 that are *NOT* part of the investigation into a shooting inside said building on 9/16/13.

In the event that some of the material is considered by you to be exempt from disclosure under both Acts, then please include all segregable portions of documents and the specific exemption you are relying upon to deny disclosure of the excised portions. Please note that in order to avoid disclosure you must claim an appropriate exemption under both Acts.

I am requesting that you abide by the statutory time within which to make a determination on this request, that being twenty (20) working days from your receipt under Section 552(a) (6)(A)(i).

I also request that, if appropriate, fees be waived as I believe this request is in the public interest and I am a member of the news media.

If rejected, I'm willing to pay any and all fees involved in the processing of this request, up to a limit of \$15.

I hereby request you inform me of any charges *in advance of fulfilling my request.* I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not

If only some of the information/materials requested is readily available, please forward said information immediately - then complete request upon receipt of further information/materials.

A compelling need exists to warrant expedited processing of this request, because a large number of our viewers are immediately impacted by the content of these records. These records relate directly to performance of government in matters of safety, health and well-being. These records also pertain to issues involving widespread media reporting in recent months. Delayed processing jeopardizes important, timely dissemination of information to the public.

Please provide records in electronic format.

Please feel free to contact me with any questions or concerns.

SCOTT MACFARLANE

I-Team Investigative Reporter

Description: NBC4 <<http://www.nbcwashington.com/>>

4001 Nebraska Avenue NW

Washington, DC 20016

202-507-1129 work cell

202-885-4267 main newsroom

website <<http://www.nbcwashington.com/>> | vCard

<<http://www.dynasend.com/signatures/get.php/scott.macfarlane-at-nbcuni.com.vcf>> | map

<<http://maps.google.com/maps?q=4001+Nebraska+Avenue+NW,+Washington,+DC+20016&hl=en&ll=38.941119,-77.082953&spn=0.028973,0.038581&sll=37.0625,-77.082953&sspn=59.467068,79.013672&hnear=4001+Nebraska+Ave+NW,+Washington,+District+of+Columbia+20016&t=m&z=15>>

| email <<mailto:scott.macfarlane@nbcuni.com>>

Follow me on Twitter at @MacFarlaneNews <<https://twitter.com/#!/MacFarlaneNews>>

(b) (6)

From: Hamlin, Donna M CIV NAVSEA, SEA COS <donna.hamlin@navy.mil> on behalf of NSSC_NAVSEA FOIA <NAVSEAFOIA@navy.mil>
Sent: Thursday, December 12, 2013 13:43
To: (b)(6)
Subject: FW: Media FOIA request
Attachments: image001.gif
Signed By: donna.hamlin@navy.mil

I think that this request is in regard to 9/16 also.

Donna

-----Original Message-----

From: MacFarlane, Scott (NBCUniversal) [mailto:Scott.MacFarlane@nbcuni.com]
Sent: Friday, December 06, 2013 6:14 PM
To: NSSC_NAVSEA FOIA
Subject: Media FOIA request

From:

Scott MacFarlane (News Media - WRC-TV)

NBC Washington

4001 Nebraska Avenue

Washington, DC 20016

202-507-1129

Pursuant to state public records rules and the federal Freedom Of Information Act, 5 USC 552, and the Privacy Act of 1974, 5 USC 552a, I hereby request copies of the following documents.

If for any reason you chose not to send me any of the documents or papers requested
then please furnish me with a timely explanation.

I am requesting:

Copies of videos produced by NAVSEA or in NAVSEA possession that include the word "security" or "safety" in the title

In the event that some of the material is considered by you to be exempt from disclosure under both Acts, then please include all segregable portions of documents and the specific exemption you are relying upon to deny disclosure of the excised portions. Please note that in order to avoid disclosure you must claim an appropriate exemption under both Acts.

I am requesting that you abide by the statutory time within which to make a determination on this request, that being twenty (20) working days from your receipt under Section 552(a) (6)(A)(i).

I also request that, if appropriate, fees be waived as I believe this request is in the public interest and I am a member of the news media.

If rejected, I'm willing to pay any and all fees involved in the processing of this request, up to a limit of \$15.

I hereby request you inform me of any charges *in advance of fulfilling my request.* I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not

If only some of the information/materials requested is readily available, please forward said information immediately - then complete request upon receipt of further information/materials.

A compelling need exists to warrant expedited processing of this request, because a large number of our viewers are immediately impacted by the content of these records. These records relate directly to performance of government in matters of safety, health and well-being. These records also pertain to issues involving widespread media reporting in recent months. Delayed processing jeopardizes important, timely dissemination of information to the public.

Please provide records in electronic format.

Please feel free to contact me with any questions or concerns.

SCOTT MACFARLANE

I-Team Investigative Reporter

Description: NBC4 <<http://www.nbcwashington.com/>>

4001 Nebraska Avenue NW

Washington, DC 20016

202-507-1129 work cell

202-885-4267 main newsroom

website <<http://www.nbcwashington.com/>> | vCard

<<http://www.dynasend.com/signatures/get.php/scott.macfarlane-at-nbcuni.com.vcf>> | map

<<http://maps.google.com/maps?q=4001+Nebraska+Avenue+NW,+Washington,+DC+20016&hl=en&ll=38.941119,-77.082953&spn=0.028973,0.038581&sll=37.0625,-95.677068&sspn=59.467068,79.013672&hnear=4001+Nebraska+Ave+NW,+Washington,+District+of+Columbia+20016&t=m&z=15>>

| email <<mailto:scott.macfarlane@nbcuni.com>>

Follow me on Twitter at @MacFarlaneNews <<https://twitter.com/#!/MacFarlaneNews>>

(b) (6)

From: Hamlin, Donna M CIV NAVSEA, SEA COS <donna.hamlin@navy.mil> on behalf of NSSC_NAVSEA FOIA <NAVSEAFOIA@navy.mil>
Sent: Thursday, December 12, 2013 14:12
To: (b)(6)
Subject: FW: Media FOIA request
Attachments: image001.gif
Signed By: donna.hamlin@navy.mil

Please see the request below. Can you advise me as to how we should process.

Donna

-----Original Message-----

From: MacFarlane, Scott (NBCUniversal) [mailto:Scott.MacFarlane@nbcuni.com]
Sent: Friday, December 06, 2013 6:12 PM
To: NSSC_NAVSEA FOIA
Subject: Media FOIA request

From:

Scott MacFarlane (News Media - WRC-TV)

NBC Washington

4001 Nebraska Avenue

Washington, DC 20016

202-507-1129

Pursuant to state public records rules and the federal Freedom Of Information Act, 5 USC 552, and the Privacy Act of 1974, 5 USC 552a, I hereby request copies of the following documents.

If for any reason you chose not to send me any of the documents or papers requested
then please furnish me with a timely explanation.

I am requesting:

Copies of all memos authored by any of the following employees in September, October or November 2013.

William Hilarides

William Deligne

Thomas Kearney

Bryan Exum

Patrick Geary

In the event that some of the material is considered by you to be exempt from disclosure under both Acts, then please include all segregable portions of documents and the specific exemption you are relying upon to deny disclosure of the excised portions. Please note that in order to avoid disclosure you must claim an appropriate exemption under both Acts.

I am requesting that you abide by the statutory time within which to make a determination on this request, that being twenty (20) working days from your receipt under Section 552(a) (6)(A)(i).

I also request that, if appropriate, fees be waived as I believe this request is in the public interest and I am a member of the news media.

If rejected, I'm willing to pay any and all fees involved in the processing of this request, up to a limit of \$15.

I hereby request you inform me of any charges *in advance of fulfilling my request.* I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not

If only some of the information/materials requested is readily available, please forward said information immediately - then complete request upon receipt of further information/materials.

A compelling need exists to warrant expedited processing of this request, because a large number of our viewers are immediately impacted by the content of these records. These records relate directly to performance of government in matters of safety, health and well-being. These records also pertain to issues involving widespread media reporting in recent months. Delayed processing jeopardizes important, timely dissemination of information to the public.

Please provide records in electronic format.

Please feel free to contact me with any questions or concerns.

SCOTT MACFARLANE

I-Team Investigative Reporter

Description: NBC4 <<http://www.nbcwashington.com/>>

4001 Nebraska Avenue NW

Washington, DC 20016

202-507-1129 work cell

202-885-4267 main newsroom

website <<http://www.nbcwashington.com/>> | vCard

<<http://www.dynasend.com/signatures/get.php/scott.macfarlane-at-nbcuni.com.vcf>> | map

<<http://maps.google.com/maps?q=4001+Nebraska+Avenue+NW,+Washington,+DC+20016&hl=en&ll=38.941119,-77.082953&spn=0.028973,0.038581&sll=37.0625,-95.677068&sspn=59.467068,79.013672&hnear=4001+Nebraska+Ave+NW,+Washington,+District+of+Columbia+20016&t=m&z=15>>

| email <<mailto:scott.macfarlane@nbcuni.com>>

Follow me on Twitter at @MacFarlaneNews <<https://twitter.com/#!/MacFarlaneNews>>

(b) (6)

From: Hamlin, Donna M CIV NAVSEA, SEA COS <donna.hamlin@navy.mil> on behalf of NSSC_NAVSEA FOIA <NAVSEAFOIA@navy.mil>
Sent: Thursday, December 12, 2013 14:18
To: (b)(6)
Subject: FW: Media FOIA request
Attachments: image001.gif
Signed By: donna.hamlin@navy.mil

Follow Up Flag: Follow up
Flag Status: Flagged

I need advice on this one too.

Donna

-----Original Message-----

From: MacFarlane, Scott (NBCUniversal) [mailto:Scott.MacFarlane@nbcuni.com]
Sent: Friday, December 06, 2013 6:09 PM
To: NSSC_NAVSEA FOIA
Subject: Media FOIA request

From:

Scott MacFarlane (News Media - WRC-TV)

NBC Washington

4001 Nebraska Avenue

Washington, DC 20016

202-507-1129

Pursuant to state public records rules and the federal Freedom Of Information Act, 5 USC 552, and the Privacy Act of 1974, 5 USC 552a, I hereby request copies of the following documents.

If for any reason you chose not to send me any of the documents or papers requested

then please furnish me with a timely explanation.

I am requesting:

Copies of emails sent or received from all (navy.mil) addresses of the following NAVSEA employees between 0800 (8am eastern) and 0930 (9:30am eastern) on 9/16/13.

William Hilarides

William Deligne

Thomas Kearney

Bryan Exum

Patrick Geary

In the event that some of the material is considered by you to be exempt from disclosure under both Acts, then please include all segregable portions of documents and the specific exemption you are relying upon to deny disclosure of the excised portions. Please note that in order to avoid disclosure you must claim an appropriate exemption under both Acts.

I am requesting that you abide by the statutory time within which to make a determination on this request, that being twenty (20) working days from your receipt under Section 552(a) (6)(A)(i).

I also request that, if appropriate, fees be waived as I believe this request is in the public interest and I am a member of the news media.

If rejected, I'm willing to pay any and all fees involved in the processing of this request, up to a limit of \$15.

I hereby request you inform me of any charges *in advance of fulfilling my request.* I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not

If only some of the information/materials requested is readily available, please forward said information immediately - then complete request upon receipt of further information/materials.

A compelling need exists to warrant expedited processing of this request, because a large number of our viewers are immediately impacted by the content of these records. These records relate directly to performance of government in matters of safety, health and well-being. These records also pertain to issues involving widespread media reporting in recent months. Delayed processing jeopardizes important, timely dissemination of information to the public.

Please provide records in electronic format.

Please feel free to contact me with any questions or concerns.

SCOTT MACFARLANE

I-Team Investigative Reporter

Description: NBC4 <<http://www.nbcwashington.com/>>

4001 Nebraska Avenue NW

Washington, DC 20016

202-507-1129 work cell

202-885-4267 main newsroom

website <<http://www.nbcwashington.com/>> | vCard

<<http://www.dynasend.com/signatures/get.php/scott.macfarlane-at-nbcuni.com.vcf>> | map

<<http://maps.google.com/maps?q=4001+Nebraska+Avenue+NW,+Washington,+DC+20016&hl=en&ll=38.941119,-77.082953&spn=0.028973,0.038581&sll=37.0625,-95.677068&sspn=59.467068,79.013672&hnear=4001+Nebraska+Ave+NW,+Washington,+District+of+Columbia+20016&t=m&z=15>>

| email <<mailto:scott.macfarlane@nbcuni.com>>

Follow me on Twitter at @MacFarlaneNews <<https://twitter.com/#!/MacFarlaneNews>>

From: [Patterson, Robin L CIV OPNAV, DNS-36](#)
To: [Hamlin, Donna M CIV NAVSEA, SEA COS;](#) (b) (6)
Cc: [Lupton, Matt CTR OPNAV, DNS-36;](#) (b) (6)
[DNS-36](#)
Subject: FOIA requests non-9/16/13 specific
Date: Thursday, January 02, 2014 15:12:11

Donna,

Reviewed the NAVSEA cases and determined that all but one will be transferred back to your office for processing, (only one is specific enough to the event), as follows:

DON 2014F-0378 (NBC Washington): Advise that you contact the NAVSEA security office and ask the following questions: 1. Do they have an indexed video library (i.e. training videos). 2. Can they determine if any videos were specifically "NAVSEA produced"? This is "not" a request for daily security footage or tapes.... and I would not consider this request specific to the NAVSEA incident.

DON FOIA 2014F-0380: I think the appropriate response is " cameras are prohibited from the premises, with the exception of "official photos" of specific events and assemblies, or ceremonies, such as retirements..... Public Affairs is the only authorized place to get a camera for official use. I don't think the Public Affairs office has an official "photo library" and there may not be a requirement to have one ... So if no "photo library exists" and photos are used for specific articles, publications, or events and then routinely destroyed ... or some photos may be kept in specific "subject/topic" or "by date" folders, that system of records would have a disposition requirement. This request is too broad to tie to the specific event. If you discover that there is a "photo library", I would recommend negotiating with the requester, or explain that the library does not contain a subject "interior of building 197" and there is no way of Identifying "all photos that were taken in the "interior of building 197".... after you get more record keeping info from Public Affairs, (b) (6) can help with crafting the language for "fishing expedition", or request to broad.

Case DON 2014F-0383: the memos are all serialized and in the individual offices -official systems of records. Recommend that you provide the requester with an estimate, as I can see the search and review, possible redactions, will be very costly. This may encourage the requester to "narrow the scope". Again another "fish expedition" - just because they are media doesn't mean that the memos would shed light on specific government activities.

DON2014F-0387: this one is specific enough that we may be able to deny. However, I want to talk with the FBI, as they may have "all emails during that time, in their possession."

I'm scheduled for leave starting tomorrow - and should be back on the 13th. If you have any questions or concerns contact Matt, and he will get ahold of me, if necessary. Please send an acknowledgement for all requests and follow up on the 10 day extension letters. Some of the requesters have already filed appeals - so the administrative files need to be kept up-to-date. Remember if you need our assistance at any point during the process, just let us know. Additionally, I would like to see the final response letters prior to release for each of these cases - as it may be necessary to notify DoD or other stakeholders.

Respectfully,

Robin Patterson
Head, DON FOIA/PA Program Office (DNS-36).
CNO Office of The Director, Navy Staff
Organization and Management Division
FOIA/PA Service Center 202 685-0412 DONFOIA-PA@NAVY.MIL
Direct line 202 685-6545 Robin.Patterson@navy.mil

From: [Lupton, Matt CTR OPNAV, DNS-36](#) on behalf of [DONFOIA-PA](#)
To: scott.macfarlane@nbcuni.com
Subject: FOIA CASE DON 2014F000380/NAVSEA 2014F000034 RESP TO REQ ML
Date: Tuesday, January 07, 2014 7:50:00

Mr. Scott MacFarlane
NBC Washington
4001 Nebraska Avenue
Washington, DC 20016

Dear Mr. MacFarlane:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT REQUEST; FOIA CASE NUMBER
DON 2014F000380/NAVSEA 2014F000034

This is in reference to your Freedom of Information Act (FOIA) request dated December 11, 2013. Your request was received in our office on December 20, 2013.

We have determined that the information you are seeking may be maintained by the Commander, Naval Sea Systems Command (NAVSEA) located at 1333 Isaac Hull Avenue SE, Washington Navy Yard, DC 20376. Therefore, we have forwarded your request to that office for action and direct response to you.

Questions regarding the action this office has taken during the initial processing of your request may be directed to our FOIA service center at (202) 685-0412. For questions regarding the current status of your request, please contact a FOIA Coordinator at NAVSEA directly at (202) 781-2437. When contacting NAVSEA, please reference case number NAVSEA 2014F000034.

Sincerely,
Robin Patterson
Head, DON FOIA/PA Program Office

From: Lupton, Matt CTR OPNAV, DNS-36
To: [Hamlin, Donna M CIV NAVSEA, SEA COS](#)
Cc: (b) (6) NAVSEA, SEA COS
Subject: FOIA CASE DON 2014F000380/ NAVSEA 2014F000034 REF TO NAVSEA ML
Date: Tuesday, January 07, 2014 8:03:00
Attachments: [2014F000380 RESP TO REQ 1-7-14.pdf](#)
[FW Media FOIA request \(11.7 KB\).msg](#)

From: Chief of Naval Operations (DNS-36)
To: Commander, Naval Sea Systems Command, Code 00D3 (NAVSEA)

Subj: FREEDOM OF INFORMATION ACT REQUEST OF NBC WASHINGTON (SCOTT MACFARLANE);
NAVSEA FOIA CASE NUMBER 2014F000034

Ref: (a) SECNAVINST 5720.42F

Encl: (1) Mr. MacFarlane's FOIA request of 11 Dec 13
(2) Email Notice of Referral to Mr. MacFarlane of 7 Jan 14

1. Enclosure (1) is forwarded to your office for action as a matter under your cognizance and for direct response to the requester within 20 working days as prescribed by reference (b). Enclosure (2) is provided for your information.

2. We have generated a new case in the NAVSEA Case Tracker at your site. The NAVSEA case number for this FOIA request is 2014F000034.

3. Enclosure (1) was received by this office on 20 Dec 13. Questions concerning this matter may be directed to Matthew Lupton at (202) 685-6509 or matthew.lupton.ctr@navy.mil.

Sincerely,
Robin Patterson
Head, DON FOIA/PA Program Office

From: [Lupton, Matt CTR OPNAV, DNS-36](#) on behalf of [DONFOIA-PA](#)
To: scott.macfarlane@nbcuni.com
Subject: FOIA CASE DON 2014F000383/NAVSEA 2014F000035 RESP TO REQ ML
Date: Tuesday, January 07, 2014 8:17:00

Mr. Scott MacFarlane
NBC Washington
4001 Nebraska Avenue
Washington, DC 20016

Dear Mr. MacFarlane:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT REQUEST; FOIA CASE NUMBER
DON 2014F000383/NAVSEA 2014F000035

This is in reference to your Freedom of Information Act (FOIA) request dated December 6, 2013. Your request was received in our office on December 20, 2013.

We have determined that the information you are seeking may be maintained by the Commander, Naval Sea Systems Command (NAVSEA) located at 1333 Isaac Hull Avenue SE, Washington Navy Yard, DC 20376. Therefore, we have forwarded your request to that office for action and direct response to you.

Questions regarding the action this office has taken during the initial processing of your request may be directed to our FOIA service center at (202) 685-0412. For questions regarding the current status of your request, please contact a FOIA Coordinator at NAVSEA directly at (202) 781-2437. When contacting NAVSEA, please reference case number NAVSEA 2014F000035.

Sincerely,
Robin Patterson
Head, DON FOIA/PA Program Office

From: Lupton, Matt CTR OPNAV, DNS-36
To: scott.macfarlane@nbcuni.com
Subject: FOIA CASE DON 2014F000383/NAVSEA 2014F000035 REF TO NAVSEA ML
Date: Tuesday, January 07, 2014 8:23:00
Attachments: [2014F000383 EMAIL FRM DNS-36.pdf](#)
[2014F000383 RESP TO REQ 1-7-14.pdf](#)
[FW Media FOIA request \(11.6 KB\).msg](#)

From: Chief of Naval Operations (DNS-36)
To: Commander, Naval Sea Systems Command, Code 00D3 (NAVSEA)
Subj: FREEDOM OF INFORMATION ACT REQUEST OF NBC WASHINGTON (SCOTT MACFARLANE);
NAVSEA FOIA CASE NUMBER 2014F000035

Ref: (a) SECNAVINST 5720.42F

Encl: (1) Mr. MacFarlane's FOIA request of 6 Dec 13
(2) Email Notice of Referral to Mr. MacFarlane of 7 Jan 14

1. Enclosure (1) is forwarded to your office for action as a matter under your cognizance and for direct response to the requester within 20 working days as prescribed by reference (b). Enclosure (2) is provided for your information.

2. We have generated a new case in the NAVSEA Case Tracker at your site. The NAVSEA case number for this FOIA request is 2014F000035.

3. Enclosure (1) was received by this office on 20 Dec 13. Questions concerning this matter may be directed to Matthew Lupton at (202) 685-6509 or matthew.lupton.ctr@navy.mil.

Sincerely,
Robin Patterson
Head, DON FOIA/PA Program Office

Date of Last Update: 1/7/2014

Command	Case Numbers	Requester	Subject	Cognizent Command	Req Date	Date to DoD High Vis	DoD cleared	Closed Date	Determination	Advised Task Force	Notes:
DNS-36	2013F041931	KXAS-TV	Aaron Alexis - any & all files	NPC	9/17/2013	11/15/2013	12/4/2013	12/5/2013	Full Denial (B)(7)(a)	10/30/2013	
DNS-36	2013F041938	CNN	Video/still images in bldg 197	NAVSEA, NCIS	9/18/2013	11/15/2013	12/4/2013	12/5/2013	Full Denial (B)(7)(a)	10/30/2013	
DNS-36	2013F041950	Associated Press	Emails, SF86 Form, DD214 of Aaron Alexis	NAVSEA, NPC, SPAWAR	9/20/2013	11/15/2013	12/4/2013	12/5/2013	Full Denial (B)(7)(a)	10/30/2013	Expedited Processing Requested
DNS-36	2013F041995	Associated Press	Video Surveillance in WNY 197 7:30 am-10 am	NAVSEA-NCIS	9/26/2013	11/15/2013	12/4/2013	12/5/2013	Full Denial (B)(7)(a)	10/30/2013	Expedited Processing Requested
DNS-36	2014F000019	Associated Press	Radio comms for unsafe work conditions, FOIA requests, emails with keywords "Alexis, problem, etc."	NDW	9/27/2013	none	none	11/25/2013	Duplicate	10/30/2013	DUPLICATE of NDW# 2013F040177
NDW	NDW# 2013F040177	Associated Press	Radio comms for unsafe work conditions, FOIA requests, emails with keywords "Alexis, problem, etc."	NDW	9/27/2013					10/30/2013	Expedited Processing Requested; Currently being processed at NDW, NDW receiving documents from local police and fire department for redactions
DNS-36	2014F000031	Associated Press	Emails "SWAT" "SRT", Special Response Team	CNIC, NDW, N4	10/8/2013					10/30/2013	Expedited Processing Requested
NPC	CNPC2013F0605	New York Post	OMPF Aaron Alexis	NPC	9/18/2013	10/24/2013	10/31/2013	10/25/2013	Full Denial (B)(7)(a)	10/30/2013	
NPC	CNPC2013F0604	Associated Press	OMPF Aaron Alexis	NPC	9/17/2013	10/24/2013	10/31/2013	10/25/2013	Full Denial (B)(7)(a)	10/30/2013	
DNS-36	2014F000101	The Day	Reviews for security clearance process, service record for Aaron Alexis, contractors review of security clearances	ASN Manpower & Reserve Affairs, General Counsel, NPC	10/20/2013	11/15/2013	12/4/2013	12/6/2013	Full Denial (B)(7)(a)	11/5/2013	
DNS-36	2014F000130	The Washington Post	All Reports to WNY Shooting, comms during shooting with Park Police, NCIS, FBI, and Metro Police	NCIS	10/25/2013	none	none	11/25/2013	Duplicate	11/5/2013	DUPLICATE of F14-000103 from NCIS
DNS-36	2014F000148	NBC 10 News	Any security reports, comms, emails involving Aaron Alexis leading up to Sept 16 through Sept 20	NAVSEA, SPAWAR, NCIS	9/24/2013	11/15/2013	12/4/2013	12/6/2013	Full Denial (B)(7)(a)	11/1/2013	
NCIS	F14-000103	The Washington Post	All Reports to WNY Shooting, comms during shooting with Park Police, NCIS, FBI, and Metro Police	NCIS	10/25/2013	none	none	11/8/2013	Full Denial (B)(7)(a)	11/15/2013	
DNS-36	2014F000378	NBC Washington	All memos authored by list of employees	NAVSEA	12/6/2013	none	none		Transferred to NAVSEA	1/7/2014	
DNS-36	2014F000380	NBC Washington	Emails sent/received from navy email addresses for NAVSEA employees between 8-9:30 am on 9/16	NAVSEA	12/6/2013	none	none		Transferred to NAVSEA	1/7/2014	
DNS-36	2014F000383	NBC Washington	Videos produced by NAVSEA that include keywords "Security" or "Safety" in the title	NAVSEA	12/6/2013	none	none		Transferred to NAVSEA	1/7/2014	
DNS-36	2014F000387	NBC Washington	All photos in NAVSEA possession of Bldg 197 interior from 2011-2013 that are not a part of investigation	NAVSEA	12/11/2013						

(b) (6)

From:

(b)(6)

Sent:

Tuesday, January 07, 2014 10:33

To:

Patterson, Robin L CIV OPNAV, DNS-36

Cc:

(b)(6)

Lupton, Matt CTR OPNAV, DNS-36; (b) (6)

(b) (6)

OPNAV, DNS-36; (b) (6)

OPNAV, DNS-36;

(b)(6)

Subject:

Clarification on FOIA

Signed By:

(b)(6)

navy.mil

Robin:

If I might ask for your assistance. As the WNYRTF FOIA POC, just talked to Matt to ask him to send me the specific NBC FOIA requests from 20 Dec. In so doing, he explained that this was being worked directly with NAVSEA and that there was no intent to make the TF aware of these until much later in the process.

If I recall, we discussed this about 2 months ago, namely all FOIA requests related to the events of 16 Sep are considered "significant" and processed accordingly. While I understand that these specific requests were sent to NAVSEA, per SECNAV's appointing order, until formally disestablished, the WNYRTF is "to ensure proper coordination of....responses to FOIA requests". As such, if we can ask that WNYRTF be kept cognizant of all of these FOIAs as they are received, reviewed and processed, not just at the end of the process. Senior-level attention across DoN remains focused on the wide range of recovery/response efforts to 16 Sep.

Please let me know if you have any questions. Many thanks and V/R,

(b)(6)

ATTORNEY-CLIENT PRIVILEGED COMMUNICATION OR ATTORNEY WORK PRODUCT: This email and any attachments are privileged, intended only for the addressee or designee, and nonreleasable outside DoD channels absent prior sender authorization. If received in error, please delete.

(b) (6)

From: MacFarlane, Scott (NBCUniversal) <Scott.MacFarlane@nbcuni.com>
Sent: Tuesday, January 07, 2014 10:40
To: Muck, Steve CIV SECNAV, DON CIO
Cc: Patterson, Robin L CIV OPNAV, DNS-36; Shaw, Phyllis CIV OPNAV, DNS-36C; Lupton, Matt CTR OPNAV, DNS-36
Subject: FW: FOIA CASE DON 2014F000383/NAVSEA 2014F000035 REF TO NAVSEA ML
Attachments: 2014F000383 EMAIL FRM DNS-36.pdf

Hi Steven...

I hope you're well. I wanted to call your attention to a disconcerting email and FOIA response sent to me today by NAVSEA FOIA employee Robin Patterson. I've attached the PDF (sent by Robin to me) to this email.

In the memo, Robin makes multiple objectionable references. Including:

- 1) "just because they are media doesn't mean that the memos would shed light on specific government activities"
- 2) "fish expeditions"

Phyllis Shaw alerted me that you have some form of supervision/oversight over the FOIA office. If so, I'd appreciate a response about the FOIA practices and response strategies illustrated by Robin's memo.

SCOTT MACFARLANE
Reporter

4001 Nebraska Avenue NW
Washington, DC 20016

202-507-1129 work cell
202-885-4506 direct

[website](#) | [vCard](#) | [map](#) | [email](#)

Follow me on Twitter at [@MacFarlaneNews](#)

-----Original Message-----

From: Lupton, Matt CTR OPNAV, DNS-36 [mailto:matthew.lupton.ctr@navy.mil]
Sent: Tuesday, January 07, 2014 8:24 AM
To: MacFarlane, Scott (NBCUniversal)
Subject: FOIA CASE DON 2014F000383/NAVSEA 2014F000035 REF TO NAVSEA ML

From: Chief of Naval Operations (DNS-36)
To: Commander, Naval Sea Systems Command, Code 00D3 (NAVSEA)

Subj: FREEDOM OF INFORMATION ACT REQUEST OF NBC WASHINGTON (SCOTT MACFARLANE);
NAVSEA FOIA CASE NUMBER 2014F000035

Ref: (a) SECNAVINST 5720.42F

Encl: (1) Mr. MacFarlane's FOIA request of 6 Dec 13
(2) Email Notice of Referral to Mr. MacFarlane of 7 Jan 14

1. Enclosure (1) is forwarded to your office for action as a matter under your cognizance and for direct response to the requester within 20 working days as prescribed by reference (b). Enclosure (2) is provided for your information.
2. We have generated a new case in the NAVSEA Case Tracker at your site. The NAVSEA case number for this FOIA request is 2014F000035.
3. Enclosure (1) was received by this office on 20 Dec 13. Questions concerning this matter may be directed to Matthew Lupton at (202) 685-6509 or matthew.lupton.ctr@navy.mil.

Sincerely,
Robin Patterson
Head, DON FOIA/PA Program Office

From: [Patterson, Robin L CIV OPNAV, DNS-36](#)
To: [Hamlin, Donna M CIV NAVSEA, SEA COS](#); (b) (6) NAVSEA, SEA COS
Cc: [Lupton, Matt CTR OPNAV, DNS-36](#); (b) (6) DNS-36
Subject: FOIA requests non-9/16/13 specific
Date: Thursday, January 02, 2014 15:12:11

Donna,

Reviewed the NAVSEA cases and determined that all but one will be transferred back to your office for processing, (only one is specific enough to the event), as follows:

DON 2014F-0378 (NBC Washington): Advise that you contact the NAVSEA security office and ask the following questions: 1. Do they have an indexed video library (i.e. training videos). 2. Can they determine if any videos were specifically "NAVSEA produced"? This is "not" a request for daily security footage or tapes.... and I would not consider this request specific to the NAVSEA incident.

DON FOIA 2014F-0380: I think the appropriate response is " cameras are prohibited from the premises, with the exception of "official photos" of specific events and assemblies, or ceremonies, such as retirements..... Public Affairs is the only authorized place to get a camera for official use. I don't think the Public Affairs office has an official "photo library" and there may not be a requirement to have one ... So if no "photo library exists" and photos are used for specific articles, publications, or events and then routinely destroyed ... or some photos may be kept in specific "subject/topic" or "by date" folders, that system of records would have a disposition requirement. This request is too broad to tie to the specific event. If you discover that there is a "photo library", I would recommend negotiating with the requester, or explain that the library does not contain a subject "interior of building 197" and there is no way of Identifying "all photos that were taken in the "interior of building 197".... after you get more record keeping info from Public Affairs, (b) (6) can help with crafting the language for "fishing expedition", or request to broad.

Case DON 2014F-0383: the memos are all serialized and in the individual offices -official systems of records. Recommend that you provide the requester with an estimate, as I can see the search and review, possible redactions, will be very costly. This may encourage the requester to "narrow the scope". Again another "fish expedition" - just because they are media doesn't mean that the memos would shed light on specific government activities.

DON2014F-0387: this one is specific enough that we may be able to deny. However, I want to talk with the FBI, as they may have "all emails during that time, in their possession."

I'm scheduled for leave starting tomorrow - and should be back on the 13th. If you have any questions or concerns contact Matt, and he will get ahold of me, if necessary. Please send an acknowledgement for all requests and follow up on the 10 day extension letters. Some of the requesters have already filed appeals - so the administrative files need to be kept up-to-date. Remember if you need our assistance at any point during the process, just let us know. Additionally, I would like to see the final response letters prior to release for each of these cases - as it may be necessary to notify DoD or other stakeholders.

Respectfully,

Robin Patterson
Head, DON FOIA/PA Program Office (DNS-36).
CNO Office of The Director, Navy Staff
Organization and Management Division
FOIA/PA Service Center 202 685-0412 DONFOIA-PA@NAVY.MIL
Direct line 202 685-6545 Robin.Patterson@navy.mil

(b) (6)

From: Lupton, Matt CTR OPNAV, DNS-36 <matthew.lupton.ctr@navy.mil> on behalf of DONFOIA-PA <donfoia-pa@navy.mil>
Sent: Tuesday, January 07, 2014 11:04
To: (b)(6)
Subject: FOIA CASE DON 2014F000373 RESP TO REQ ML
Attachments: request_DoN_2014000373.pdf
Signed By: matthew.lupton.ctr@navy.mil

Mr. John Harrold Shanahan Jr.

(b)(6)

Dear Mr. Shanahan:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT REQUEST; FOIA CASE NUMBER DON2014F000373

This is in reference to your Freedom of Information Act (FOIA) request dated December 18, 2013 (copy attached). Your request was received in our office on December 20, 2013.

We have determined that if the records you are seeking still exist, these records are no longer in the possession and control of the Department of the Navy, but may be maintained by the Director, National Archives and Record Administration (NARA).

Please be advised, you will need to submit your FOIA request to NARA. You can submit a FOIA request via email at foia@nara.gov, or via mail at:

National Archives and Record Administration
FOIA Requester Service Center
8601 Adelphi Road, Room 3110
College Park, MD 20740-6001

The NARA FOIA Requester Service Center can be contacted directly at (301) 837-3642.

Questions regarding the action this office has taken during the initial processing of your request may be directed to our FOIA service center at (202) 685-0412. A copy of your FOIA request as it was received in this office is attached.

Sincerely,
Robin Patterson
Head, DON FOIA/PA Program Office

From: Lupton, Matt CTR OPNAV, DNS-36 <matthew.lupton.ctr@navy.mil> on behalf of DONFOIA-PA <donfoia-pa@navy.mil>
Sent: Tuesday, January 07, 2014 11:17
To: scott.macfarlane@nbcuni.com
Subject: FOIA CASE DON 2014F000378/NAVSEA 2014F000033 RESP TO REQ ML
Signed By: matthew.lupton.ctr@navy.mil

Mr. Scott MacFarlane
NBC Washington
4001 Nebraska Avenue
Washington, DC 20016

Dear Mr. MacFarlane:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT REQUEST; FOIA CASE NUMBER
DON 2014F000378/NAVSEA 2014F000033

This is in reference to your Freedom of Information Act (FOIA) request dated December 6, 2013. Your request was received in our office on December 20, 2013.

We have determined that the information you are seeking may be maintained by the Commander, Naval Sea Systems Command (NAVSEA) located at 1333 Isaac Hull Avenue SE, Washington Navy Yard, DC 20376. Therefore, we have forwarded your request to that office for action and direct response to you.

Questions regarding the action this office has taken during the initial processing of your request may be directed to our FOIA service center at (202) 685-0412. For questions regarding the current status of your request, please contact a FOIA Coordinator at NAVSEA directly at (202) 781-2437. When contacting NAVSEA, please reference case number NAVSEA 2014F000033.

Sincerely,
Robin Patterson
Head, DON FOIA/PA Program Office

(b) (6)

From:

(b)(6)

Sent:

Tuesday, January 07, 2014 11:20

To:

(b)(6)

(b)(6) Lupton, Matt CTR OPNAV, DNS-36; (b) (6)
CTR OPNAV, DNS-36; (b) (6) OPNAV, DNS-36; Patterson, Robin L CIV
OPNAV, DNS-36; (b) (6) R OPNAV, DNS-36; (b) (6) OPNAV,
DNS-35; Shaw, Phyllis CIV OPNAV, DNS-36C; (b) (6) OPNAV, DNS-36;
(b)(6)

(b)(6) Witt, Maria CTR
OPNAV, DNS-36; (b)(6)

Subject:

Electronic Spills Training

Signed By:

(b)(6) @navy.mil

ALCON,

We have had a rash of secret spills on NIPR in the last month. We will be conducting training Wednesday 1000.

Branch heads advise if you have conflicts.

(b)(6)

(b) (6)

From:

(b)(6)

Sent:

Tuesday, January 07, 2014 11:43

To:

Lupton, Matt CTR OPNAV, DNS-36

Subject:

RE: FOIA CASE DON 2014F000351 Cognizance

Signed By:

(b)(6)@navy.mil

Matt,

To follow-up, we do have a file in this case. We are requesting a copy from the Federal Records Center. You can formally forward case to us.

(b)(6)

Secretary of the Navy Council of Review Boards

(b)(6)

-----Original Message-----

From: Lupton, Matt CTR OPNAV, DNS-36

Sent: Tuesday, December 31, 2013 10:48 AM

To: (b)(6)

Subject: FOIA CASE DON 2014F000351 Cognizance

Good Morning (b)(6)

Our office has received a FOIA request regarding TDRL/medical discharge. I have the full request attached. I initially went to NPC and they said they don't have any records on this individual. They wanted me to double check with CORB to rule out anything else before redirecting the requester to NPRC. Would you have anything for this requester? Please advise.

Respectfully,

Matthew Lupton

FOIA/PA Support

Department of the Navy

P: 202-685-6509

F: 202-685-6580

Email: matthew.lupton.ctr@navy.mil

(b) (6)

From:

(b)(6)

Sent:

Tuesday, January 07, 2014 12:08

To:

(b)(6) Patterson, Robin L CIV OPNAV, DNS-36

Cc:

(b)(6) Lupton, Matt CTR OPNAV, DNS-36; (b) (6)
(b) (6) OPNAV, DNS-36; (b) (6) OPNAV, DNS-36; (b)(6)
(b)(6) Hamlin, Donna M CIV NAVSEA, SEA COS; (b)(6)
(b)(6)

Subject:

RE: Clarification on FOIA

Signed By:

(b)(6)@navy.mil

(b)(6)

After NAVSEA completes its review of the four FOIAs from the NBC reporter, the intent is, and has been, to coordinate with the Task Force prior to any release.

I have copied Donna Hamlin and (b)(6) on this email. Donna is the FOIA Officer for NAVSEA, and (b)(6) is the attorney advising Donna on these FOIAs.

If you have any questions, please do not hesitate to contact Donna or (b)(6)

Thank you.

v/r,

(b)(6)

-----Original Message-----

From: (b)(6)

Sent: Tuesday, January 07, 2014 10:33 AM

To: Patterson, Robin L CIV OPNAV, DNS-36

Cc: (b)(6) Lupton, Matt CTR OPNAV, DNS-36; (b) (6) OPNAV, DNS-36;

(b) (6) OPNAV, DNS-36 (b)(6)

(b)(6)

Subject: Clarification on FOIA

Robin:

If I might ask for your assistance. As the WNYRTF FOIA POC, just talked to Matt to ask him to send me the specific NBC FOIA requests from 20 Dec. In so doing, he explained that this was being worked directly with NAVSEA and that there was no intent to make the TF aware of these until much later in the process.

If I recall, we discussed this about 2 months ago, namely all FOIA requests related to the events of 16 Sep are considered "significant" and processed accordingly. While I understand that these specific requests were sent to NAVSEA, per SECNAV's appointing order, until formally disestablished, the WNYRTF is "to ensure proper coordination of....responses to FOIA requests". As such, if we can ask that WNYRTF be kept cognizant of all of these FOIAs as they are received,

reviewed and processed, not just at the end of the process. Senior-level attention across DoN remains focused on the wide range of recovery/response efforts to 16 Sep.

Please let me know if you have any questions. Many thanks and V/R,

(b)(6)



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(b) (6)

From:

(b)(6)

Sent:

Tuesday, January 07, 2014 12:55

To:

(b) (6) OPNAV, DNS-36; (b)(6)

(b)(6)

(b)(6) Lupton, Matt CTR OPNAV, DNS-36; (b) (6)

(b) (6) OPNAV, DNS-36; (b) (6) OPNAV, DNS-36; Patterson, Robin L CIV
OPNAV, DNS-36; (b) (6) OPNAV, DNS-36; (b) (6) OPNAV,
DNS-35; Shaw, Phyllis CIV OPNAV, DNS-36C; (b) (6) OPNAV, DNS-36;

(b)(6)

Subject:

FW: current HQWeb outage, Upcoming SIPR Taskers ASI

Signed By:

(b)(6)@navy.mil

DNS-3,

FYI.

V/r,

(b)(6)

-----Original Message-----

From (b)(6)

Sent: Tuesday, January 07, 2014 12:51 PM

To: OPNAV ALL ACTR

Subject: current HQWeb outage, Upcoming SIPR Taskers ASI

ACTRs,

We are currently experiencing an outage of HQWeb/Taskers due to a failed HBSS install at our hosting facility in Tulsa. No ETR at this time, we will send word as soon as it is resolved.

Additionally, we will be upgrading SIPR TV5 to the new version (SIPR TV5.2) beginning this Friday at 1900. SIPR Navy Taskers (TV5) will be down from that time until early Sunday morning. Thank you.

V/r,

(b)(6)

Information Professional
OPNAV Deputy CIO

(b)(6)

(b) (6)

From:

(b)(6)

Sent:

Tuesday, January 07, 2014 13:52

To:

(b) (6) OPNAV, DNS-36; (b)(6)

(b)(6)

(b)(6) Lupton, Matt CTR OPNAV, DNS-36; (b) (6)

(b) (6) OPNAV, DNS-36; (b) (6) OPNAV, DNS-36; Patterson, Robin L CIV
OPNAV, DNS-36; (b) (6) OPNAV, DNS-36; (b) (6) OPNAV,
DNS-35; Shaw, Phyllis CIV OPNAV, DNS-36C; (b) (6) OPNAV, DNS-36;

(b)(6)

Subject:

FW: current HQWeb outage, Upcoming SIPR Taskers ASI

Signed By:

(b)(6) @navy.mil

DNS-3,

FYI.

V/r,

(b)(6)

-----Original Message-----

From: (b)(6)

Sent: Tuesday, January 07, 2014 1:52 PM

To: (b)(6)

Subject: RE: current HQWeb outage, Upcoming SIPR Taskers ASI

All:

HQ Web and Taskers are currently both up and running. HQ Web Help Desk will continue to monitor the servers and will be sure to let you know if any other problems arise.

v/r,

(b)(6)

-----Original Message-----

From: (b)(6)

Sent: Tuesday, January 07, 2014 12:51 PM

To: OPNAV ALL ACTR

Subject: current HQWeb outage, Upcoming SIPR Taskers ASI

ACTRs,

We are currently experiencing an outage of HQWeb/Taskers due to a failed HBSS install at our hosting facility in Tulsa. No ETR at this time, we will send word as soon as it is resolved.

Additionally, we will be upgrading SIPR TV5 to the new version (SIPR TV5.2) beginning this Friday at 1900. SIPR Navy Taskers (TV5) will be down from that time until early Sunday morning. Thank you.

V/r,

(b)(6)

Information Professional
OPNAV Deputy CIO

(b)(6)

(b) (6)

From: Lupton, Matt CTR OPNAV, DNS-36 <matthew.lupton.ctr@navy.mil> on behalf of DONFOIA-PA <donfoia-pa@navy.mil>
Sent: Tuesday, January 07, 2014 13:57
To: (b)(6)
Subject: FOIA CASE DON 2014F000402 RESP TO REQ ML
Attachments: request_DoN_2014F000402.pdf
Signed By: matthew.lupton.ctr@navy.mil

Mr. Jeremy Gibson

(b)(6)

Dear Mr. Gibson:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT REQUEST; FOIA CASE NUMBER DON2014F000402

This is in reference to your Freedom of Information Act (FOIA) request dated December 26, 2013 (copy attached). Your FOIA request was received in our office on December 26, 2013.

We have determined that the information you are seeking may be maintained by the Department of Defense, Central Adjudication Facility (DoDCAF) located at 600 10th Street, Fort George G. Meade, MD 20755. Therefore, we have forwarded your request to that office for action and direct response to you.

Questions regarding the action that our office has taken during the initial processing of your request may be directed to our FOIA Service Center at (202) 685-0412. For questions regarding the current status of your request, please contact a FOIA coordinator at DoDCAF directly at (301) 833-3790.

Sincerely,
Robin Patterson
Head, DON FOIA/PA Program Office

(b) (6)

From: Lupton, Matt CTR OPNAV, DNS-36 <matthew.lupton.ctr@navy.mil>
Sent: Tuesday, January 07, 2014 14:06
To: (b)(6)
Subject: FOIA CASE DON 2014F000402 REF TO DODCAF ML
Attachments: 2014F000402 REF TO DODCAF.pdf; 2014F000402 RESP TO REQ 1-7-14.pdf;
request_DoN_2014F000402.pdf
Signed By: matthew.lupton.ctr@navy.mil

Good Afternoon (b)(6)

Attached is the memo along with the FOIA request and response to the requester.

Respectfully,

Matthew Lupton
FOIA/PA Support
Department of the Navy
P: 202-685-6509
F: 202-685-6580
Email: matthew.lupton.ctr@navy.mil

(b) (6)

From: Muck, Steve CIV SECNAV, DON CIO </O=ORGANIZATION/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=STEVEN.MUCK> on behalf of Muck, Steve CIV SECNAV, DON CIO
Sent: Tuesday, January 07, 2014 14:41
To: MacFarlane, Scott (NBCUniversal)
Cc: Patterson, Robin L CIV OPNAV, DNS-36; Shaw, Phyllis CIV OPNAV, DNS-36C; Lupton, Matt CTR OPNAV, DNS-36; (b)(6)
(b)(6)
Subject: RE: FOIA CASE DON 2014F000383/NAVSEA 2014F000035 REF TO NAVSEA ML
Signed By: steven.muck@navy.mil

Mr. MacFarlane, I appreciate your email and had been advised earlier today by Ms. Shaw that the references you refer to below, were made. Please accept my apologies and know that the Department of the Navy strives for accurate and timely responses to all FOIA requestors. I will personally discuss the matter with Robin upon her return to the office in an effort to prevent a similar occurrence. If you wish to discuss further I can be reached at 703 695 1297.

Steve Muck
DON CIO Compliance Branch Head/FOIA Public Liaison

-----Original Message-----

From: MacFarlane, Scott (NBCUniversal) [mailto:Scott.MacFarlane@nbcuni.com]
Sent: Tuesday, January 07, 2014 10:40 AM
To: Muck, Steve CIV SECNAV, DON CIO
Cc: Patterson, Robin L CIV OPNAV, DNS-36; Shaw, Phyllis CIV OPNAV, DNS-36C; Lupton, Matt CTR OPNAV, DNS-36
Subject: FW: FOIA CASE DON 2014F000383/NAVSEA 2014F000035 REF TO NAVSEA ML

Hi Steven...

I hope you're well. I wanted to call your attention to a disconcerting email and FOIA response sent to me today by NAVSEA FOIA employee Robin Patterson. I've attached the PDF (sent by Robin to me) to this email.

In the memo, Robin makes multiple objectionable references. Including:

- 1) "just because they are media doesn't mean that the memos would shed light on specific government activities"
- 2) "fish expeditions"

Phyllis Shaw alerted me that you have some form of supervision/oversight over the FOIA office. If so, I'd appreciate a response about the FOIA practices and response strategies illustrated by Robin's memo.

SCOTT MACFARLANE
Reporter

4001 Nebraska Avenue NW

Washington, DC 20016

202-507-1129 work cell

202-885-4506 direct

website | vCard | map | email

Follow me on Twitter at @MacFarlaneNews

-----Original Message-----

From: Lupton, Matt CTR OPNAV, DNS-36 [mailto:matthew.lupton.ctr@navy.mil]

Sent: Tuesday, January 07, 2014 8:24 AM

To: MacFarlane, Scott (NBCUniversal)

Subject: FOIA CASE DON 2014F000383/NAVSEA 2014F000035 REF TO NAVSEA ML

From: Chief of Naval Operations (DNS-36)

To: Commander, Naval Sea Systems Command, Code 00D3 (NAVSEA)

Subj: FREEDOM OF INFORMATION ACT REQUEST OF NBC WASHINGTON (SCOTT MACFARLANE);
NAVSEA FOIA CASE NUMBER 2014F000035

Ref: (a) SECNAVINST 5720.42F

Encl: (1) Mr. MacFarlane's FOIA request of 6 Dec 13
(2) Email Notice of Referral to Mr. MacFarlane of 7 Jan 14

1. Enclosure (1) is forwarded to your office for action as a matter under your cognizance and for direct response to the requester within 20 working days as prescribed by reference (b). Enclosure (2) is provided for your information.

2. We have generated a new case in the NAVSEA Case Tracker at your site. The NAVSEA case number for this FOIA request is 2014F000035.

3. Enclosure (1) was received by this office on 20 Dec 13. Questions concerning this matter may be directed to Matthew Lupton at (202) 685-6509 or matthew.lupton.ctr@navy.mil.

Sincerely,

Robin Patterson

Head, DON FOIA/PA Program Office

(b) (6)

From:

(b)(6)

Sent:

Tuesday, January 07, 2014 14:44

To:

(b) (6) OPNAV, DNS-36; (b)(6)
(b)(6)
(b)(6) Lupton, Matt CTR OPNAV, DNS-36; (b) (6)
(b) (6) OPNAV, DNS-36; (b) (6) OPNAV, DNS-36; Patterson, Robin L CIV
OPNAV, DNS-36; (b) (6) OPNAV, DNS-36; (b) (6) OPNAV,
DNS-35; Shaw, Phyllis CIV OPNAV, DNS-36C; (b) (6) OPNAV, DNS-36;
(b)(6)

Cc:

Subject:

DNS-3 WNY Meeting w/ (b)(6)

Signed By:

(b)(6)@navy.mil

DNS-3,

(b)(6) will be coming over tomorrow at 1500 to conduct a "town hall" style meeting with DNS-3.

We will conduct the meeting in the fishbowl.

Phyllis/Rita/Mike advise if you have any conflicts with your shops.

All you are welcome but not required to attend.

(b)(6)

(b) (6)

From:

(b)(6)

Sent:

Tuesday, January 07, 2014 14:50

To:

(b)(6) Patterson, Robin L CIV OPNAV, DNS-36

Cc:

(b)(6) Lupton, Matt CTR OPNAV, DNS-36; (b) (6)

(b) (6) OPNAV, DNS-36; (b) (6) CTR OPNAV, DNS-36; (b)(6)

(b)(6) Hamlin, Donna M CIV NAVSEA, SEA COS; (b)(6)

(b)(6)

Subject:

RE: Clarification on FOIA

Signed By:

(b) (6) navy.mil

(b)(6) Appreciate it, with all FOIA requests related to events of 9/16 as "significant", just wanted to insure that all the procedural requirements of DoDD 5400.07 are met, and that the TF retains visibility as FOIA issues are being worked.

V/R (b)(6)

(b)(6)

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-----Original Message-----

From: (b)(6)

Sent: Tuesday, January 07, 2014 12:08 PM

To: (b)(6) Patterson, Robin L CIV OPNAV, DNS-36

Cc: (b)(6) Lupton, Matt CTR OPNAV, DNS-36; (b) (6) OPNAV, DNS-36;

(b) (6) OPNAV, DNS-36; (b)(6) Hamlin, Donna M CIV NAVSEA, SEA

COS; (b)(6)

Subject: RE: Clarification on FOIA

(b)(6)

After NAVSEA completes its review of the four FOIAs from the NBC reporter, the intent is, and has been, to coordinate with the Task Force prior to any release.

I have copied Donna Hamlin and (b)(6) on this email. Donna is the FOIA Officer for NAVSEA, and (b)(6) is the attorney advising Donna on these FOIAs.

If you have any questions, please do not hesitate to contact Donna or (b)(6)

Thank you.

v/r,

(b)(6)

-----Original Message-----

From: (b)(6)

Sent: Tuesday, January 07, 2014 10:33 AM

To: Patterson, Robin L CIV OPNAV, DNS-36

Cc: (b)(6) Lupton, Matt CTR OPNAV, DNS-36; (b) (6) OPNAV, DNS-36;

(b) (6) OPNAV, DNS-36; (b)(6)

(b)(6)

Subject: Clarification on FOIA

Robin:

If I might ask for your assistance. As the WNYRTF FOIA POC, just talked to Matt to ask him to send me the specific NBC FOIA requests from 20 Dec. In so doing, he explained that this was being worked directly with NAVSEA and that there was no intent to make the TF aware of these until much later in the process.

If I recall, we discussed this about 2 months ago, namely all FOIA requests related to the events of 16 Sep are considered "significant" and processed accordingly. While I understand that these specific requests were sent to NAVSEA, per SECNAV's appointing order, until formally disestablished, the WNYRTF is "to ensure proper coordination of....responses to FOIA requests". As such, if we can ask that WNYRTF be kept cognizant of all of these FOIAs as they are received, reviewed and processed, not just at the end of the process. Senior-level attention across DoN remains focused on the wide range of recovery/response efforts to 16 Sep.

Please let me know if you have any questions. Many thanks and V/R,

(b)(6)

(b)(6)

ATTORNEY-CLIENT PRIVILEGED COMMUNICATION OR ATTORNEY WORK PRODUCT: This email and any attachments are privileged, intended only for the addressee or designee, and nonreleasable outside DoD channels absent prior sender authorization. If received in error, please delete.

(b) (6)

From: Lupton, Matt CTR OPNAV, DNS-36 <matthew.lupton.ctr@navy.mil> on behalf of DONFOIA-PA <donfoia-pa@navy.mil>
Sent: Tuesday, January 07, 2014 14:58
To: (b)(6)
Subject: FOIA CASE DON 2014F000414 RESP TO REQ ML
Attachments: 2014F000414 FOIA REQ.pdf
Signed By: matthew.lupton.ctr@navy.mil

Mr. Rashad Gibbs

(b)(6)

Dear Mr. Gibbs:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT REQUEST; FOIA CASE NUMBER DON2014F000414

This is in reference to your Freedom of Information Act (FOIA) request dated December 30, 2013 (copy attached). Your FOIA request was received in our office on December 30, 2013.

We have determined that the information you are seeking may be maintained by the Department of Defense, Central Adjudication Facility (DoDCAF) located at 600 10th Street, Fort George G. Meade, MD 20755. Therefore, we have forwarded your request to that office for action and direct response to you.

Questions regarding the action that our office has taken during the initial processing of your request may be directed to our FOIA Service Center at (202) 685-0412. For questions regarding the current status of your request, please contact a FOIA coordinator at DoDCAF directly at (301) 833-3790.

Sincerely,
Robin Patterson
Head, DON FOIA/PA Program Office

(b) (6)

From: Lupton, Matt CTR OPNAV, DNS-36 <matthew.lupton.ctr@navy.mil>
Sent: Tuesday, January 07, 2014 15:16
To: (b)(6)
Subject: FOIA CASE DON 2014F000414 REF TO DODCAF ML
Attachments: 2014F000414 FOIA REQ.pdf; 2014F000414 REF TO DODCAF.pdf; 2014F000414 RESP TO REQ 1-7-14.pdf
Signed By: matthew.lupton.ctr@navy.mil

(b)(6)

Attached is the memo along with the FOIA request and response to the requester.

Respectfully,

Matthew Lupton
FOIA/PA Support
Department of the Navy
P: 202-685-6509
F: 202-685-6580
Email: matthew.lupton.ctr@navy.mil

(b) (6)

From: Lupton, Matt CTR OPNAV, DNS-36 <matthew.lupton.ctr@navy.mil> on behalf of
DONFOIA-PA <donfoia-pa@navy.mil>
Sent: Tuesday, January 07, 2014 15:32
To: (b)(6)
Subject: FOIA CASE DON 2014F000376 RESP TO REQ ML
Attachments: request_DoN_2014000376.pdf
Signed By: matthew.lupton.ctr@navy.mil

Ms. Jessica Ginapp

(b)(6)

Dear Ms. Ginapp:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT REQUEST; FOIA CASE NUMBER DON2014F000376

This is in reference to your Freedom of Information Act (FOIA) request dated December 17, 2013 (copy attached). Your FOIA request was received in our office on December 20, 2013.

We have determined that the information you are seeking may be maintained by the Department of Defense, Central Adjudication Facility (DoDCAF) located at 600 10th Street, Fort George G. Meade, MD 20755. Therefore, we have forwarded your request to that office for action and direct response to you.

Questions regarding the action that our office has taken during the initial processing of your request may be directed to our FOIA Service Center at (202) 685-0412. For questions regarding the current status of your request, please contact a FOIA coordinator at DoDCAF directly at (301) 833-3790.

Sincerely,
Robin Patterson
Head, DON FOIA/PA Program Office

(b) (6)

From: Lupton, Matt CTR OPNAV, DNS-36 <matthew.lupton.ctr@navy.mil>
Sent: Tuesday, January 07, 2014 15:44
To: (b)(6)
Subject: FOIA CASE DON 2014F000376 REF TO DODCAF ML
Attachments: 2014F000376 REF TO DODCAF.pdf; 2014F000376 RESP TO REQ 1-7-14.pdf;
request_DoN_2014000376.pdf
Signed By: matthew.lupton.ctr@navy.mil

(b)(6)

Attached is the memo along with the FOIA request and response to the requester. The PDF for REF TO DODCAF in the subject line, should state 'REQUEST OF JESSICA GINAPP' not 'REQUEST OF DANA SAUNDERS'. Sorry for the inconvenience.

Respectfully,

Matthew Lupton
FOIA/PA Support
Department of the Navy
P: 202-685-6509
F: 202-685-6580
Email: matthew.lupton.ctr@navy.mil

(b) (6)

From:

(b)(6)

Sent:

Tuesday, January 07, 2014 16:00

To:

(b) (6) DNS-36; Lupton, Matt CTR OPNAV, DNS-36; (b) (6)
(b) (6) OPNAV, DNS-36; (b) (6) OPNAV, DNS-36; (b) (6)
OPNAV, DNS-36; (b) (6) OPNAV, DNS-36; (b) (6) OPNAV,
DNS-36; (b)(6) Patterson, Robin L CIV OPNAV, DNS-36;
Shaw, Phyllis CIV OPNAV, DNS-36C

Cc:

(b) (6)

Subject:

FOIA CASE DON 2014F000383 / NBC Release

Signed By:

(b)(6)@navy.mil

DNS-36,

No one is to take any additional action or speak to anyone outside of this office without my approval.

This is being handled at SECNAV level.

(b)(6)